

RESOLUTION NO. ____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS
ADOPTING THE MEMORANDUM OF UNDERSTANDING WITH THE MILPITAS
PROFESSIONAL AND TECHNICAL GROUP FOR THE PERIOD
OF JANURARY 1, 2013 THROUGH DECEMBER 31, 2013**

WHEREAS, the City of Milpitas (“City”) and the Milpitas Professional and Technical Group (“Protech”) have considered entering into a Memorandum of Understanding with the effective dates of January 1, 2013 through December 31, 2013 (“MOU”).

NOW, THEREFORE, the City Council of the City of Milpitas hereby finds, determines and resolves as follows:

1. The City Council has considered the full record before it, which may include but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.
2. The MOU between Protech and the City is hereby adopted to be effective from January 1, 2013 through and including December 31, 2013.

PASSED AND ADOPTED this ____ day of _____, 2013, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Mary Lavelle, City Clerk

Jose S. Esteves, Mayor

APPROVED AS TO FORM:

Michael J. Ogaz, City Attorney

**MILPITAS PROFESSIONAL AND TECHNICAL GROUP
(PROTECH)**

**AN AFFILIATE OF
LIUNA/UPEC LOCAL 792, AFL-CIO**

**MEMORANDUM
OF
UNDERSTANDING**

January 1, 2013 through December 31, 2013

**CITY OF MILPITAS AND
MILPITAS PROFESSIONAL AND TECHNICAL GROUP (ProTech)
AN AFFILIATE OF LIUNA/UPEC LOCAL 792, AFL-CIO
COMPREHENSIVE MEMORANDUM OF UNDERSTANDING ON SALARIES,
FRINGE BENEFITS AND WORKING CONDITIONS
January 1, 2013 through December 31, 2013**

The authorized representatives of the City Council of the City of Milpitas, hereafter referred to as the “City” and the authorized representatives of the Milpitas Professional and Technical Group, hereafter referred to as the “Union,” do jointly accept and agree to all the terms and conditions of employment set forth in this Comprehensive Memorandum of Understanding (MOU), pursuant to Section 15.13 of the Personnel Rules and Regulations of the City of Milpitas (as amended).

The term of this MOU shall be for one year commencing at 12:01 a.m. on January 1, 2013, and terminating at midnight on December 31, 2013.

- I Except as to the effective dates and as changed below in paragraphs II and III, all terms and conditions contained in that certain Memorandum of Understanding between Protech and the City of Milpitas with effective dates of July 1, 2011—December 31, 2012, adopted by City Council Resolution No. 8098 on June 7, 2011, (“Prior MOU”) are incorporated herein by reference and adopted as a part of this MOU as if fully set forth herein.
- II The fourth paragraph of Section 22.01 of the Prior MOU shall be replaced by the following paragraph:
- Effective the first full pay period following Council adoption of this MOU, in addition to paying the applicable employee PERS contribution rate to the Miscellaneous Plan, employees will pay 12.9% of PERSable salary toward the employer contribution rate on a pre-tax basis.
- III Changes mandated as a result of modifications to California State Law, in particular those imposed by the California Public Employees Pension Reform Act of 2013.

PROTECH ASSOCIATION
REPRESENTATIVES

CITY REPRESENTATIVES

Steve Allen, UPEC Local 792

Mary Lavelle, City Clerk

Nick Wolf

Carmen Valdez, HR Director

Emma Karlen, Finance Director